

Message Text

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ACTION ARA-10

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FM AMCONSUL BELIZE

TO SECSTATE WASHDC 3979

UNCLAS BELIZE 169

E.O. 11652: N/A

TAGS: PFOR BH

SUBJECT: THE ALIEN LANDHOLDING ACT

REF: A. BELIZE A-04 DATED FEBRUARY 1, 1974

B. CONVENTION BETWEEN THE UNITED STATES AND GREAT BRITAIN:
TENURE AND DISPOSITION OF REAL AND PERSONAL PROPERTY,
PROCLAIMED AUGUST 6, 1900

C. SUPPLEMENTARY CONVENTION BETWEEN THE UNITED STATES AND
GREAT BRITAIN: TENURE AND DISPOSITION OF REAL AND
PERSONAL PROPERTY, PROCLAIMED APRIL 2, 1902

1. THE ALIEN LANDHOLDING ACT ENACTED BY GOB IN 1974, WHICH,
INTER ALIA RESTRICTS THE ABILITY OF US CITIZENS TO OWN AND
TRANSFER TITLE TO PROPERTY IN BELIZE HAS CAUSED SEVERAL PO-
TENTIAL U.S. INVESTORS TO CURTAIL OR ABANDON THEIR PLANS HERE,
AND COULD CONTINUE TO BE A SOURCE OF TROUBLE FOR U.S. CITIZENS
IN THIS COUNTRY.

2. OUR READING OF THE ACT IN THE LIGHT OF REFERENCE B TO WHICH
BRITISH HONDURAS SUBSEQUENTLY ACCEDED (REFERENCE C) IS THAT IT IS
NOT IN ACCORD WITH THE TERMS OF THE CONVENTION WHICH PROVIDE THAT
"IN ALL THAT CONCERNS THE RIGHT OF DISPOSING OF EVERY KIND OF
PROPERTY, REAL OR PERSONAL, CITIZENS OR SUBJECTS OF EACH OF THE
HIGH CONTRACTING PARTIES SHALL IN THE DOMINIONS OF THE OTHER ENJOY
THE RIGHTS WHICH ARE OR MAY BE ACCORDED TO THE CITIZENS OR SUBJECTS
OF THE OTHER OF THE MOST FAVOR NATION." (ARTICLE V)

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3. TO THE BEST OF OUR KNOWLEDGE, NO RESTRICTIONS EXIST IN THE

UNITED STATES WHICH WOULD INTERFERE WITH BELIZEAN OWNERSHIP OF
REAL OR OTHER PROPERTY IN THE U.S.

4. WE WOULD APPRECIATE DEPARTMENT'S OPINION ON:

A. WHETHER AND TO WHAT EXTENT THE ALIEN LANDHOLDING ACT IS
IN VIOLATION OF THE CONVENTION AND

B. IF SO, WHETHER WE MIGHT PROPERLY APPROACH THE GOB WITH A
REQUEST THAT THE PROVISIONS OF THE ACT WHICH VIOLATE THE CONVENTION
BE SET ASIDE IN SO FAR AS THEY AFFECT U.S. CITIZENS. GAWF

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